



02 MAY 2003

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In re Application of :
ROMANOVYCH, et al. :
Application No.: 10/070,347 :
PCT No.: PCT/DE00/02930 :
Int. Filing Date: 28 August 2000 :
Priority Date: 28 August 1999 :
Attorney Docket No.: S04P03US :
For: COMPUTER-BASED METHOD FOR :
AUTOMATICALLY PROCESSING DATA, :
ESPECIALLY MAGNETOCARDIOGRAPHIC :
DATA, OF BIOMAGNETIC FIELDS :

DECISION ON RENEWED

REQUEST UNDER 1.42

This is a decision on applicant's "Renewed Petition Under 37 CFR 1.42" filed in United States Patent and Trademark Office (USPTO) on 24 February 2003.

BACKGROUND

On 25 November 2002, applicant was mailed a decision dismissing applicant's request for status under 37 CFR 1.42. Applicant was afforded two months to file any request for reconsideration.

On 24 February 2003, applicant filed the present renewed request under 37 CFR 1.42 accompanied by a declaration and a petition for a one-month extension of time. With the filing of the petition for a one-month extension of time and payment of the extension fee, the response is considered timely filed.

DISCUSSION

Pursuant to 37 CFR 1.42, first sentence:

"In case of the death of the inventor, the legal representative (executor, administrator, etc.) of the deceased inventor may make the necessary oath or declaration, and apply for and obtain a patent."

The declaration filed 24 February 2003 is executed by Stella Iwanowa as heiress and legal representative of the estate of Stepanowitsch Romanovych and provides the legal representative's residence, post office address and country of citizenship. In addition, the declaration provides the

residence, post office address and country of citizenship of the deceased co-inventor. The declaration is also executed by the co-inventor Fritz Steinberg. The declaration is acceptable under 37 CFR 1.42 and complies with 37 CFR 1.497(a)-(b). Accordingly, the requirements for entry into national stage under 35 U.S.C. 371(c) were completed as of 24 February 2003.

CONCLUSION

Applicant's renewed request for status under 37 CFR 1.42 is **GRANTED**.

This application will be given an international application filing date of 28 August 2000 and a date of **24 February 2003** under 35 U.S.C. 371.

This application is being returned to the DO/EO/US for processing in accordance with this decision.



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